

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

CARL DAUENHAUER and LORES
DAUENHAUER, husband and wife,
also doing business as
DAUENHAUER FARMS with an
assumed name HDW and HAUER OF
THE DAUEN, INC., an Oregon
corporation with HDW,

3:11-CV-01436-ST

ORDER

Plaintiffs,

v.

COLUMBIA RIVER BANK, an
Oregon bank corporation and
COLUMBIA STATE BANK, a
banking corporation,

Defendants.

BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and
Recommendation (#24) on February 22, 2012, in which she

recommended the Court deny Plaintiffs' Motion (#9) to Remand. Plaintiffs filed timely Objections to the Findings and Recommendation. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1). *See also United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (*en banc*); *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9th Cir. 1988).

In their Objections, Plaintiffs reiterate the arguments contained in their Motion to Remand, Reply in support of their Motion to Remand, and stated at oral argument. This Court has carefully considered Plaintiffs' Objections and concludes they do not provide a basis to modify the Findings and Recommendation. The Court also has reviewed the pertinent portions of the record *de novo* and does not find any error in the Magistrate Judge's Findings and Recommendation.

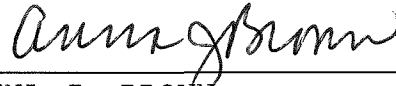
CONCLUSION

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#24) and **DENIES** Plaintiffs' Motion (#9) to

Remand.

IT IS SO ORDERED.

DATED this 24th day of April, 2012.

A handwritten signature in black ink, appearing to read "Anna J. Brown", written over a horizontal line.

ANNA J. BROWN
United States District Judge